

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	July 7, 2018
Time of Incident:	3:15pm
Location of Incident:	[REDACTED]
Date of COPA Notification:	July 7, 2018
Time of COPA Notification:	12:58 pm

This complaint is about an on-going dispute between [REDACTED] (previous owner) and [REDACTED] (new owner) regarding the ownership of the building located at [REDACTED]. Mrs. [REDACTED] and Mr. [REDACTED] have called the police on at least six different occasions in 2018. On July 7, 2018, Mr. [REDACTED] telephoned the police and told the responding officers that he owned that building and that someone had trespassed and changed the door locks. Mr. [REDACTED] provided court documents that indicated he was the owner of the property. Mr. [REDACTED] also provided eviction documentation and a Quit Claim Deed. While Mr. [REDACTED] was attempting to gain entry through the front door, Mrs. [REDACTED] was heard yelling from inside the building. Mrs. [REDACTED] told the responding officers that her building was fraudulently sold because of unpaid property taxes. Mrs. [REDACTED] related that her building has been vacated for over two years and has no running water, but recently moved back to take possession of the property. Mrs. [REDACTED] related that she has on many occasions has been late with her property tax payment but has always paid them. Mrs. [REDACTED] was detained and released and was told that her property ownership dispute should resolved in civil court.

II. INVOLVED PARTIES

Involved Officer #1:	Sean Martin, Star #9683, Employee ID# [REDACTED], Date of Appointment: June 27, 2016, Police Officer, Unit 012, DOB: [REDACTED], 1992, Male/White.
Involved Officer #2:	Timothy Sheehan, Star #19257, Employee ID# [REDACTED], Date of Appointment: August 31, 1998, Police Officer, Unit 12, DOB: [REDACTED] 1974, Male/White.
Involved Unknown Officers #3 and 4.	[REDACTED] DOB: [REDACTED], 1955,
Involved Individual #1:	Female/Black.
Involved Individual #2:	[REDACTED], Male/White.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Sean Martin	1. Illegally entered her building without permission in violation of Rule 6. 2. Treated her in an unprofessional manner in violation of Rule 8. 3. Detained and handcuffed her for three hours without justification in violation of Rule 8. 4. Failed to activate his Body Worn Camera (BWC) in violation of Rule 6.	Unfounded Unfounded Unfounded Unfounded
Officer Timothy Sheehan	1. Illegally entered her building without permission in violation of Rule 6. 2. Treated her in an unprofessional manner in violation of Rule 8. 3. Detained and handcuffed her for three hours without justification in violation of Rule 8. 4. Failed to activate his Body Worn Camera (BWC) in violation of Rules 6.	Unfounded Unfounded Unfounded Unfounded
Unknown Officers #3 and 4.	1. Illegally entered her building without permission in violation of Rule 6. 2. Treated her in an unprofessional manner in violation of Rule 8 3. Detained and handcuffed her for three hours without justification in violation of Rule 8. 4. Failed to activate his Body Worn Camera (BWC) in violation of Rules	Unfounded Unfounded Unfounded Unfounded

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 6: Disobedience of an order or directive, whether written or oral.
2. Rule 8: Disrespect to or a maltreatment of any person, while on or off duty.

V. INVESTIGATION

a. Interviews

In an **interview with COPA**¹ on July 3, 2018, ██████████ stated that she moved back into the building because she believes that she is the owner of the building located at ██████████. On July 7, 2018, Mrs. ██████████ was inside the building when she observed someone drilling open the front door and accompanied by police officers. Mrs. ██████████ opened the door and sat down on a chair to speak with the officers. Mrs. ██████████ was asked to stand up and she refused and instead slid off the chair and onto the floor and said, "You're going to have to carry me out." Mrs. ██████████ stated that officers attempted to lift her off the ground but could not because she is obese. Mrs. ██████████ complained of dizziness and when the paramedics arrived, she refused any medical treatment. Mrs. ██████████ had made numerous allegations from the officers illegally entering her building without her permission, treating her in an unprofessional manner, handcuffing her for three hours and failing to activate their BWC.

An **additional e-mail**,² sent by Mrs. ██████████ stated if anyone had spoken to Assistant State's Attorney (ASA) ██████████ regarding her fraud complaint. On August 29, 2018, in a telephone conversation with COPA, ASA ██████████ stated that he has repeatedly spoken to Mrs. ██████████ and her husband, ██████████ throughout the past years. ASA ██████████ explained that Mrs. ██████████ took out a home construction loan totaling \$350,000 and defaulted on the loan because she was unsatisfied with the home improvements. ASA ██████████ stated that he has repeatedly explained to Mrs. ██████████ there was no fraud regarding the tax sale of the property. ASA ██████████ stated that no matter what he tells Mrs. ██████████ she continues to believe that she is the owner of the property and make fraud claims.

In a **telephone conversation with COPA**⁴, on September 12, 2018, ██████████ stated that he is involved in an on-going property ownership dispute with ██████████. Mr. ██████████ stated that he is the owner of the property located at ██████████ and agreed to forward court documents⁵ indicating his ownership. Mr. ██████████ stated that he had Mrs. ██████████ evicted, but she illegally re-entered the building and changed the door locks. Mr. ██████████ has called the police on several occasions regarding this dispute and is now currently going through the court system to have Mrs. ██████████ evicted again.

¹ Att. 18, Interview of ██████████

² Att. 22, Email from IAD Sgt. Keshia Frierson, additional information made by ██████████ (27 Jul 18).

³ Att. 46, Telephone interview of Assistant State Attorney (ASA) ██████████

⁴ Att. 45, Telephone interview of ██████████

⁵ Att. 44. Court documents from ██████████

b. Digital Evidence

Body Worn Camera (BWC)⁶ video from July 7, 2018, captured the owner, now known as [REDACTED] attempting to gain entry of his building through the front door. While attempting to gain entry, a voice of a woman, now known as [REDACTED] is surprisingly heard yelling from inside the building. Mrs. [REDACTED] opens the door and begins to complain that she owns the building was that it was fraudulently sold. Mrs. [REDACTED] is observed laying on the floor and refuses police commands to get up. A supervisor arrives on the scene and Mrs. [REDACTED] adamantly tells the supervisor that she is the owner of the property. After speaking with Mr. [REDACTED] and Mrs. [REDACTED] and reviewing their documentation it was determined that the property dispute is a civil matter.



c. Documentary Evidence

Court documents⁷ provided by [REDACTED] included an order from the Circuit Court of Cook County approving the report and distribution, confirming sale and order of possession. Also included was an order from the Office of the Sheriff of Cook County to evict anyone residing at [REDACTED]. Mr. [REDACTED] stated that after evicting of Mrs. [REDACTED] she illegally re-entered the building and changed the door locks. Mr. [REDACTED] stated

⁶ Att. 37, CD of BWC, July 7, 2018.

⁷ Att. 44, Email and court documents provided by Mr. [REDACTED]

that he is currently working through the court system to have Mrs. [REDACTED] evicted again. Court Documentation further indicated that on December 2, 2010, the Plaintiff's, Neighborhood Lending Service, filed a Foreclosure Action against the Defendants, Chicago Title Land Trust, [REDACTED] [REDACTED] LaSalle Bank, and Unknown Owners, in the Circuit Court of Cook County, under Case: 2010-CH-5 [REDACTED].

- On October 14, 2011 the Circuit Court of Cook County⁸ entered a Judgment of Foreclosure in favor of the Plaintiff. The Defendants appealed.
- On August 21, 2013 the Appellate Court reversed and remanded the case back to the Circuit Court of Cook County. Litigation continued until August 1, 2016, when Judge Senechalle granted a motion for Summary Judgment in favor of the Plaintiff.
- On September 20, 2016, a Judgment of Foreclosure was subsequently entered by the Court.
- On January 31, 2017, Judge Senechalle approved the Sheriff's Sale of the Property and entered an Order of Possession against the Defendants.
- On February 1, 2017, the Defendants appealed to the Appellate Court the Circuit Court of Cook County's ruling.
- On May 21, 2018, the Appellate Court affirmed the Circuit Court of Cook County's ruling.
- On May 31, 2018, the Cook County Sheriff effectuated an eviction of the tenants on the property.

Original Case Incident Reports⁹ indicated that on at least six different occasions in 2018, more than thirty police units including supervisors have responded to an on-going property ownership dispute between Mr. [REDACTED] and Mrs. [REDACTED]. At least five Original Case Incident Reports [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and an Investigator Stop Report 576521¹⁵ have documented this ownership dispute. Specifically, RD# [REDACTED] indicated that on July 7, 2018, officers responded to scene and were informed by Mr. [REDACTED] and Attorney [REDACTED] that the previous owner had broken into the building and had changed the door locks. The responding officers knocked on the door and there was no answer. Mr. [REDACTED] produced a Quit Claim Deed¹⁶ that was entered on March 5, 2018, transferring the ownership of the property to Mr. [REDACTED]. While attempting to gain entrance, Mrs. [REDACTED] opened the front door and began to yell profanities at the officers. Mrs. [REDACTED] opened the door and refused to leave the property by laying on the living room floor. Mrs. [REDACTED] was handcuffed and detained and a supervisor was requested to the scene. Sgt. Julio Vargas and Station Supervisor,

⁸ Att. 39, Cook County Clerk of the Circuit Court.

⁹ Att. 38, Event Query Reports.

¹⁰ Att. 34, Original Case Incident Report, Non-Criminal.

¹¹ Att. 10, Original Case Incident Report, Criminal Damage to Property.

¹² Att. 23, Original Case Incident Report, Criminal Trespassing to residence.

¹³ Att. 26, Original Case Incident Report, Criminal Trespassing to residence.

¹⁴ Att.6, Original Case Incident Report, Criminal Trespassing to residence.

¹⁵ Att. 5, Investigative Stop Report #576521.

¹⁶ Att. 41, Quit Claim Deed, [REDACTED].

Lt. Richard Stadnik responded to the scene. After reviewing the documents, Lt. Stadnik determined that further review of the case was required from a judge and advised Mr. [REDACTED] to obtain an arrest warrant for Mrs. [REDACTED]

VI. ANALYSIS

Officers Sean Martin, Timothy Sheehan along with numerous other responding officers and supervisors responded to an on-going property ownership dispute between Mrs. [REDACTED] and Mr. [REDACTED]. A review of the Body Worn Camera (BWC) of Timothy Sheehan, Adan Gonzalez, Sean Martin and Cosin Luca showed the interaction with Mrs. [REDACTED] who was yelling threats and profanities at the officers. Mrs. [REDACTED] was uncooperative and disrespectful to the officers and accused them of being racist. The BWC showed Mrs. [REDACTED] refusing to comply with officers and was handcuffed and detained. The officers kept their composure and were professional and treated Mrs. [REDACTED] with respect. Mrs. [REDACTED] was detained and handcuffed, but not for three hours. Several supervisors responded to the scene and the handcuffs were removed from Mrs. [REDACTED]. The responding supervisors had to review the legal and real estate documents that were provided by Mr. [REDACTED] and Mrs. [REDACTED] regarding their ownership dispute of the building. After reviewing the documents, Mrs. [REDACTED] and Mr. [REDACTED] were both advised that their dispute should be handled in a civil court and Mrs. [REDACTED] was released.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Officer Sean Martin	1. Illegally entered her building without permission. 2. Treated her in an unprofessional manner. 3. Detained and handcuffed her for three without justification. 4. Failed to activate his Body Worn Camera. (BWC)	Unfounded Unfounded Unfounded Unfounded
Officer Timothy Sheehan	1. Illegally entered her building without permission. 2. Treated her in an unprofessional manner. 3. Detained and handcuffed her for three without justification. 4. Failed to activate his Body Worn Camera (BWC).	Unfounded Unfounded Unfounded Unfounded
Unknown Officers #3 and 4.	1. Illegally entered her building without permission. 2. Treated her in an unprofessional manner. 3. Detained and handcuffed her for three hours without justification. 4. Failed to activate his Body Worn Camera (BWC).	Unfounded Unfounded Unfounded Unfounded

[Redacted Signature]

Approved:

[Redacted Signature]

Deputy Chief Angela Hearts-Glass

10-31-18

Date

Appendix A

Assigned Investigative Staff

Squad#:

Investigator Roberto Soto

Supervising Investigator Andrew Dalkin

Deputy Chief Angela Hearts-Glass

